

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, JUNE 19, 2000 7:00 PM

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Frautschi, Horton, Mayer, McKenzie, Mercer, Wozniak
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Associate Planner Walker (AP), Zoning Technician Gill (ZT), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of 05/01/07 and 05/15/07

MOTION: By Vice Chair Frautschi, seconded by Commissioner Mayer, to accept the Minutes for Tuesday, May 1, 2007, as amended.

Ayes: Frautschi, Mayer, Horton, McKenzie, Mercer, Wozniak
Noes: None
Abstain: Parsons

Motion passed 6/0/1

MOTION: By Commissioner Wozniak, seconded by Commissioner McKenzie, to approve the Minutes of Tuesday, May 15, 2007, as previously corrected by Chair Parsons.

Ayes: Wozniak, McKenzie, Horton, Mayer, Mercer, Parsons
Noes: None
Abstain: Frautschi

Motion passed 6/0/1

5. OLD BUSINESS:

5A. Study Session for a Preliminary Design Review – New Auto Dealership – El Camino Real and Harbor Boulevard

SP DiDonato summarized the staff Memorandum, asking that any comments from the Commission be directed only at the issues raised in the memo. He distributed sample materials provided by the applicant, and called attention to a hand-out that listed questions that had been raised by Commissioner Mercer, and staff's response to those questions.

Commissioner Mayer asked how the lease agreement with CalTrain affects the project. SP DiDonato responded that it is staff's understanding that the applicant owns the project site that fronts on El Camino Real and will lease the back portion of CalTrain right-of-way. He added that that type of arrangement is typical all the way down El Camino and that, for the most part, the applicant would lose his outdoor display space but not his customer parking if the lease were to be terminated for some reason.

Responding to Commissioner Wozniak, SP DiDonato noted that the applicant has a reciprocal agreement with the adjacent property owner for use of the driveways.

Vice Chair Frautschi asked if there is anything that prevents the applicant from egressing and entering the site from the same driveway on El Camino Real. SP DiDonato responded that they would need to provide a wider driveway in order to do that. He will check to determine if the separate driveway is required by code.

Keneshka (Ken) Salehi, designer of the project, presented a model of the proposed project, and explained why they decided to pursue the luxury pre-owned auto dealership business, adding that if they lost their lease with CalTrain, the building could be used for another type of business. Answering questions from the Commission, Mr. Keneshka stated that staff to run the dealership would be an average of 2 people, the building is about 90' from the rear property line, including the CalTrain property, and about 32' to 42' from the line of the property that they own, it will be a brand new business, 8 high-end cars will be parked inside and the more common cars will be parked outside, and it is the owner's intention to hire someone to run the business.

Commissioner Wozniak was concerned about the number of parking spaces for staff and customers and did not feel the proposed type of construction was suitable for Belmont. She would like to see another design, suggested retro-modern, something that would fit in to the general area and the Downtown Plan.

Commissioner Mayer did not believe the plan conforms to the Downtown Specific Plan, and suggested that the illustration drawing was a closer fit. He was not sure why a car dealership would want to locate at that location, and if it is something the Commission would want to encourage in that area. He felt that putting it there might set some sort of precedent and, since it is a conditional use in that district, would not have to automatically be approved.

Vice Chair Frautschi posed his comments in the form of questions that would eventually have to be answered fully if this project were to come before the Planning Commission or the City Council:

- 1) Where would the off-site repair, fueling and detail of the vehicles be conducted, and would there be any plans for overstock storage?
- 2) Number of parking stalls would need to be reconciled. The staff report states 38 yet the plans indicate 47 for display vehicles, and the staff report records 6 for employees and customers yet the plans indicate 6 plus 1 handicap and an additional parking spot at the southern line of the property behind the building.
- 3) Appears to be no provision for ADA accessibility to the 2nd floor and there is no restroom facility on the 2nd floor.
- 4) Is the applicant prepared to perform a full and complete traffic study to evaluate possible impacts of the project on traffic and available parking at this location on El Camino and the immediate vicinity?
- 5) The site is substantially surrounded by buildings that employ a Mediterranean design, which has been utilized for over 20 years of development as an established style in an attempt to create and maintain a cohesive architectural style and image of this area. How does the proposed building reflect the detailing and craftsmanship of American architecture between 1880 and 1930?
- 6) Are the construction materials for the building façade wood, cement, plaster, masonry or a combination of these materials? Where exactly does the gray metal exterior finish fit into the City's stated guidelines?
- 7) How would you answer the question regarding the modern design of the building not being an acceptable style for the architectural theme and treatment policy by which the Planning Commission and City Council must evaluate the building?
- 8) How does the project avoid the appearance of additional strip commercial development?
- 9) Is the project fully prepared to implement Belmont's commercial landscape requirements of a minimum of 10% vs. the 2% currently being discussed? It seemed to him that 6 trees within planters at the front of the project and 2 at the rear do not necessarily constitute a complete landscape plan.
- 10) What are the applicant's thoughts for additional security for stored inventory of automobiles?
- 11) The Commission's focus of discussion for evaluating the project at this preliminary stage is based on the following 4 questions:
 - a. Is the land use appropriate? He would say "yes."

- b. Is the proposed intensity of the proposed land use appropriate? He would say "yes," if pertinent questions previously posed about traffic, parking and landscape are addressed.
- c. Is the arrangement or distribution of proposed land uses appropriate? Yes, if security and storage inventory, lighting and signage, ingress and egress issues are adequately addressed.
- d. Is the proposed architecture compatible with the surrounding area? At this point he would have to say "no."

Commissioner Horton echoed a number of Vice Chair Frautschi's issues and had an issue with the setback as well. She suggested that perhaps the way the building is laid out needs to be changed so that it is not jammed right up against the sidewalk. There is not enough landscaping and trees. She suggested that the applicant look at the guidelines they must follow and needs to transition between the buildings on both sides. The building as proposed would be fine on the other side of the freeway. She believed that a dealership would go great at the proposed location and would be a great source of revenue for the City.

Commissioner Horton suggested that the applicant be creative and find material or something to tie it back to what is around it.

Commissioner Mercer stated that a concern of hers is that if the car dealership didn't work there, what other business could possibly use the property? She was also concerned that placing the building exactly up to the railway easement is not going to be advantageous in any way because if the owner should ever call that easement they will have to take the building down. She suggested that they have more conversations with the railway about where it is reasonable to build on that lot.

Commissioner McKenzie concurred with the previous comments and believed it is a good commercial use of that piece of property, but the architecture is not appropriate for the site. He suggested that they need to come back with a significant redesign with more of a classical elegance of a building design that is appropriate for luxury cars and a Spanish style elegant design that would blend in much better with the architectural theme requirement of the City.

Chair Parsons echoed previous comments, felt that the land use is appropriate but questioned the intensity since half of the property is leased, and mentioned that there is a 10% requirement for landscaping. He thought it was an interesting architectural plan, but as Planning Commissioners they are locked in to the historic architectural theme zone for the neighborhood. He suggested that they take the project to the City Council as a Study Session to get their feedback because they will have the ultimate say.

CDD de Melo thanked the Commission for their feedback on the project and will meet with the applicant to determine the next steps and the entitlement review and timelines.

Chair Parsons summarized that there was consensus that the Commission approved of the idea of the dealership but the architecture is a problem that has to be resolved.

6A. PUBLIC HEARING – 3817 Naughton Avenue

To consider a Single Family Design Review to add 1,189 square-feet of living/floor area to the existing 1,200 square foot single-family residence for a total of 2,389 square feet in a zoning district that permits 2,400 square feet for the site. (Appl. No. 2007-0017)

APN: 043-111-180; Zoned: HRO-2 (Hillside Residential and Open Space District)

CEQA Status: Recommended Categorical Exemption per Section 15303

Applicant/Owner: Fereydoun Shehabi

RB Gill summarized the staff report, recommending approval with the conditions attached, and answered questions from the Commission as follows:

- The applicant is required to maintain a 7' setback.
- Regarding the condition imposed by the Fire Department, the Urban-Wildland Interface/vegetation management plan refers to combustible vegetation such as high grass and extensive brush, and part of the requirement is to trim existing trees or low lying branches approximately 4' from the ground. Any new vegetation introduced to the area must be fire resistant but it does not require the removal of protected trees or, in this case, trees that were approved in 2000 by the Planning Commission.
- The original building had a landscape plan and what the applicant submitted is reflective of that plan. He

did not find an irrigation plan but the applicant stated that there is irrigation in the rear portion of the yard. There does not appear to be anything in the front or side portions.

- He explained the floor area transfer mechanism for HRO-2 zoning use for the property.
- Vice Chair Frautschi understood that the empty property adjacent to 3817 Naughton is a permanent private conservation easement and asked if the applicant could approach the owners of that property to incorporate landscaped elements that would mitigate the visual bulk of his current proposed construction. ZT Gill did not believe that could be required as a condition of approval as it would have to be maintained by the property owner. CDD de Melo interjected his agreement that there is some concern with levying a condition of approval on a property owner that is not part of this application. Staff recommended that if the Commission is looking to create landscaping to mitigate bulk issues associated with this addition, they move towards keeping the landscape elements associated with that bulk tradeoff within 3817 Naughton without the threat of having to try to get 2740 involved when they are not a party to this transaction.
- There is no extensive grading and no fill. The only built-out portion of the house is toward the rear and that is probably just removal of a small grass area. The existing crawl space is already there so there would be no grading or excavation in that area.
- The roofing material will match the existing home – dark gray composition shingle roof.
- The applicant did not propose any landscaping at this particular time. He felt that the existing landscaping was appropriate for the site and this particular addition, and there was a landscape plan approved in 2000. Commissioner McKenzie noted that the 2000 landscaping does not really exist anymore.
- A stairway going from the garage to the house was part of the original proposal but was removed when the applicant was informed that they would have to maintain a garage space of 20 x 20 interior.
- CDD de Melo stated that if there is any question relative to the setback of the roof eaves, staff will cross-check that. As long as staff can confirm with the building permit a 7' setback written on the drawings they would be assured that the 7' setback is maintained.

Fereydoun Shehabi, owner, stated that the remodeling resulted in creation of a recorded permanent open space easement across the street from his property that potentially could have been developed. He noted that the only addition that is outside the footprint of his existing house is the rear bedroom in the back yard, which amounts to about 12% of the 1189 square feet. There is an 8' setback on that portion. He has automatic sprinkler system for the rear yard lawn area. It is not automatic in the front but he will look into that. He is planning to add ground cover to the right of the property in the strip of the 7' setback and also on the hillside on the left.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Frautschi, seconded by Commissioner McKenzie, to close the Public Hearing. Motion passed by voice vote.

Commissioners commented as follows:

Vice Chair Frautschi:

- The project meets the General Plan and the zoning conformance, and the applicant has met the neighborhood outreach standards.
- He could rule for Findings C, D, E, G and H, but had issues with Findings A, B and F.
- Finding A is a close call for him having to do with the home being consistent in character in relation to the homes around it. Simply changing the roof to red tile would make it tie in more, but he would not deny the project on that basis.
- Regarding Finding B, the roof articulation does not sufficiently reduce the visual bulk of this large and prominent addition to the front of the home, and there has been no attempt to ground the building with color or to reduce the broad visual blankness immediately above the garage door. He suggested that something simple like arboring or architectural detailing would significantly mitigate the bulk.
- With respect to the landscape and Findings B and F, no new landscaping is proposed for this project and he felt that the landscaping is almost non-existent. He suggested that there needs to be an incorporation of heritage species trees in the front areas, particularly to the right of the driveway, and since there doesn't seem to be an alternative to approach the owners of the permanent conservation easement, he would like to know that there will be something to eventually mitigate the very, very large garage that is bumped out with two more floors on top.
- He is unable to support Findings A, B or F for this project, but could support continuation of the application

for redesign that addresses the compatibility issue, the bulk issue and the landscape mitigation concerns he talked about.

Commissioner Wozniak:

- Agreed with Vice Chair Frautschi except that she could find on A in that the roof is not a problem for her. The building bulk is, and while she knows that the density transfer should take care of that, they do look at the bulk of the house and the image from the street, and suggested mitigating it with tall plantings or redesigning it a bit.
- Would also like to see a substantial landscape plan. It appears to her that the plan that is in the file was either never implemented or the plants have died.

Commissioner Mayer:

- Had no problem with Finding A, believing that the external changes are not that significant and that the roof is a matter of the individual's taste and desire. He felt that the only time one would notice the bulk would be from the dead end of the street so he is not bothered by the bulk of the addition.
- Agreed that there should be some landscaping incorporated as much as possible and the irrigation to support it.

Commissioner Horton:

- On the issue of bulk, the damage is already done – the house the first time around maybe had some design problems so adding to it is not any better or worse than it already is. She suggested that if the house were painted an earthy tone it would help with the bulk issue.
- Agreed that it would be good to try to grow a trellis or something similar over the big blank area over the garage and that there needs to be some landscape cleanup.
- Suggested putting a street tree on the left.

Commissioner Mercer:

- Did not have an issue with the structure of the building as it is. She did not find it that much bulkier from the street but believed this is an opportunity to improve upon the shortcoming of the original design. She could make the bulk finding if some additional mitigation is added, such as changing the paint color to an earthy tone and something to help anchor it down to the earth so that the garage instead of looking like its cut out might look like it is built in. She suggested possibly a stone or brick façade or something that really ties the lower level in with the surrounding soil so that the ground level looks like it is part of the ground and then the top two stories would not look so tall. They would have to be careful that it is not out of character with the architectural style.
- Would require a landscape plan and some irrigation in the front so that the landscaping would survive and suggested a long stand of trees down the right-hand side of the property to balance it with the trees on the left. The trees could be of a variety that grows one-story tall so as not to lose the views, and would do a lot from the street level so one could see trees instead of bare blank wall. With those mitigating factors she could make all of the findings.

Commissioner McKenzie:

- It was a nice design and did not think the bulkiness would be any more apparent than the original design, and that it would be an improvement of the very large deck over the garage.
- Could make all the findings except B and F and believed the bulk could be mitigated by landscaping and other measures.
- Strongly supported having a professional landscape plan that ties it all together, especially in the front of the house.
- Called attention to a problem with rust running from the iron railings on the house, and felt that this new design is not going to look nice if that rust problem persists.

Chair Parsons also had problems with the bulk but believed it would be hard to do much about it if they are going to allow this amount of square footage on the property. Since he encourages density transfers, he felt he had to support a project like this because it is one way to keep open space in the hillside areas. He would want staff to work with the applicant to come up with a realistic plan of landscaping and perhaps some architectural detail via color and materials that can reduce the appearance of the bulk.

MOTION: By Commissioner Horton, seconded by Commissioner Mercer, to adopt the Resolution approving a Single-Family Design Review at 3817 Naughton Avenue (Appl. 2007-00017) with the following additional condition: Staff will work with the applicant to improve the landscape design and finishes, colors and

materials to mitigate the overall perception of bulk, and a landscape plan with irrigation, to be brought back to the Commission at one meeting and prior to the issuance of building permits.

Ayes: Horton, Mercer, Mayer, McKenzie, Wozniak, Frautschi, Parsons
Noes: None

Motion passed 7/0

Chair Parsons announced that this item may be appealed to the City Council within 10 calendar days.

Chair Parsons called for a 5-minute break.

6B. PUBLIC HEARING – 2612 Hallmark Drive

To consider a Single Family Design Review to construct a new 3,491 square-foot two-story single-family residence on an existing vacant lot that is below the zoning district permitted 3,500 square feet for the site. (Appl. No. 2007-0018)

APN: 045-421-190; Zoned: R-1B (Single Family Residential)

CEQA Status: Recommended Categorical Exemption per Section 15303

Applicant: Morton Frank, F.A.I.A.

Owners: Ray and Ruby Urbino

AP Walker summarized the staff report, recommending approval on a "close call" basis, acknowledging that there may be issues to warrant a continuance, and answered questions from the Commission

Morton Frank, Architect, made a presentation of the project, describing in detail the rationale and planning that went into the design.

Rex Upp, geotechnical engineer for the project, stated that he has been the geo tech engineer for this property since 1995 and that the lot in question (Lot 2) does not have any geotechnical issues. He distributed photographs and diagrams and described what actions have been taken on the property to date, noting that there has been no significant erosion for years.

To clarify the drawings, Mr. Frank and Chair Parsons discussed in detail the construction plans for hollow walls and decks, with Mr. Frank noting that all the walls are shown in elevation and will be finished in integral colored concrete. The stairs will probably be precast concrete on steel runners with a decorative finish for both safety and appearance, adding that they are intent on building a quality house throughout.

Bruce Chan, landscape architect for the project, noted that the impervious area is about 32%, which leaves them with 68% planting and natural landscape area. He stated that they are planting 10 trees, 6 of which are mitigation trees that are in the back, 4 of which are Oak trees and 2 are Buckeye. The landscape is low maintenance, drought tolerant, deer resistant, and the trees in front are on the lower portion of the front end of the lot so they will not block views from the neighbors. To address a neighbor's concern about the retaining wall on the south side of the lot, they plan to extend the lower planting area down the garage wall so that they have more protection for the neighbor, and at that point the grade zeros out so there is no step-off danger.

Chair Parsons opened the Public Hearing.

Maria Gherman, Belmont resident, expressed concern that: 1) there is a proposed retaining wall less than six feet from her property line, 2) she, children, and/or deer could fall off the wall, and 3) the beautiful 44" Oak Tree on the property might be killed.

Adele Della Santina, Belmont resident and former Belmont Planning Commissioner and Councilmember, appeared in support of Mort Frank, project architect. She noted that she had served with him on county-wide committees dealing with housing and transportation and was impressed at how he could pull things together and make them work for the community, and felt that his efforts at neighborhood outreach and response to concerns of staff and neighbors was 100%.

MOTION: By Vice Chair Frautschi, seconded by Commissioner McKenzie, to close the Public Hearing. Motion passed by voice vote.

Responding to Dr. Gherman's comments, Mr. Frank noticed that, from the street line all the way in to the end of the paving, will be heavily landscaped, not unlike the present landscaping that Dr. Gherman currently has on her front lawn, which serves as a railing. The new landscaping will be more substantial and will be stepped in two bites so that a fall, if there were to be one through the bushes, would be two 3' drops. The only thing they have to straighten out is that the doctor's lawn and landscaping is actually on the subject property and they plan to work something out to maintain her plantings. He added that once you get past the garage where the planting ends, the topography daylights out so that one can literally just step across; it's a flush, gradient situation with no safety issue. Regarding the Oak tree, Mr. Frank stated that it has been confirmed by the arborists to be only 68% healthy, and the house is to be set exactly at the same height, location and spread as the tree and would be no more of an obstruction of view than the tree. They felt that, given the health of the tree, it was a better choice than having to go around it, under it and through it to build the house.

Commissioners commented as follows:

Vice Chair Frautschi:

- Corrected Mr. Frank by stating that the arborists' reports state that the tree is only 60% fair.
- Doubted that it is wise to build on lots of this slope.
- Sad over the loss of one of the few remaining Oak ravines in the Hallmark area.
- Bringing about 41 truck loads of fill on to the site is not what he would call being sensitive to the site and working with the site.
- No problems with Findings C, D, G and H.
- When looking at the size of the house, the minimum setbacks and the near maximum floor area, he felt the hardscape percentages are excessive in proportion to the lot size, and that the hardscape areas in the driveway, sidewalks and the proposed car port needed to be reduced.
- Regarding Finding A, certain aspects of the presented design were not consistent with the character of the existing development and the immediate neighborhood, particularly the diagonal support bracing for the roof, the very large cantilevered view deck, and the massive glazing on the west side.
- Regarding Finding F, the garage is not sufficiently integrated with the housing design in that the two different architectural roofs make one look as though it were being added to the other.
- There needs to be great effort to reduce the hardscape and suggested picking which entrance to emphasize and subjugating the other to a porous path material, eliminating the car port and incorporating further landscaping in that area, reducing the covered area of the courtyard, and reducing the paved area of the front right driveway and dual sidewalks.
- He could not vote for this project that incorporates the carport arrangement behind the garage, not only due to the additional and unnecessary hardscape, but the issue of the accumulated effects this hardscape could have in the rainy season and the cautions of the City's geologists' report on the impacts that this could have on the downslope ravine area.
- A good reason to close off the garage would be the critters mentioned by the applicant in his presentation.
- Under not circumstance would he vote for this project with the pass-through garage situation with another parking pad that adds hardscape.

Commissioner Wozniak:

- Had issues with the building bulk, which could be minimized by looking at decks and paved areas.
- Issues with the setback on the side of the open space easement and on the neighbor's side.
- The carport adds to the hardscape and bulk.
- Did not particularly like the garage roof; does not fit with the house.
- Appreciated that the applicant took a lot of time to deal with neighborhood and neighbor's views.
- Could see that the applicant could mitigate the bulk and hardscape issues and come up with another design with modifications that could work.
- Could not vote for the present design.

Commissioner Mayer:

- Liked the way the house looks.
- Realized there is a bulk issue but the visual bulkiness is on the open space side, which is not so much from the street side or from the lower side down in the open space.
- Eliminating the "bizarre" supports for the deck could help.

- Agreed that the roof of the garage does not seem to be very well integrated with the rest of the house.
- He could live with the carport.
- The hardscape issue is perhaps of some concern.
- He agreed that the lack of a door in the garage could be a problem in terms of wildlife entering the garage.

Commissioner McKenzie:

- Felt that the team should be commended for finally solving the major issues of developing this property with a design that looks like it will work.
- Liked the overall design with the exception of the pass-through carport, since it is a big contributor to the issues of hardscape and bulk.
- Would close off the garage since leaving it open would invite not only animals, but leaves and other wind-blown debris.

Commissioner Mercer:

- Could make Finding A, as she believed the design replicates some of the best elements that are in the neighborhood.
- With respect to all the other findings, felt that this is more than a 3500-sq.ft.-house and they are playing games by not putting walls on garages and extending rooms out with an excessive volume of deck. She calculated that there is over 1000 square feet of deck, which is another third of the house built without walls, and makes far more bulk than is warranted. She questioned whether the deck will ever get used because of its north and west exposure to the rain and wind.
- Felt the third-car garage is just an excuse to enclose some space but not have to count it against the square footage. She could not make the finding that that garage is integrated in the plan as it looks like an add-on, and suggested putting a low-slope roof on just the real garage and not adding that third-car garage.
- Found that not enclosing the garage is actually a safety hazard; could see small children getting in there and getting into trouble, as well as a colony of raccoons.
- Regretted saying that she could not make all of the findings because she felt they were well on their way, but that is far too big.

Commissioner Horton:

- Thinks that the carport will eventually be enclosed and should go away.
- Could not support the garage with the flat roof – it does not go with the rest of the house and needs a roof.
- The deck supports are frightening but the alternative is worse.
- Questioned the considerable amount of glass and wondered if Title 24 calculations had been made.
- Questioned how they are going to connect to the sewer, assuming they will be pumping up.
- There is a bit too much hardscape. With the weather in Belmont there is not much opportunity to get outside to enjoy it and it will create too much runoff in an area that does not need any more runoff.
- Other than the garage and the hardscape, she did not have a lot of issues.

Chair Parsons concurred with all the issues already raised, adding that when someone tries to make this many decks and this many flat areas on a hillside, it has always been his stated opinion that if they wanted a back yard and side yards they should have probably bought a house down where the lots are flat. He further commented that:

- There is a retaining wall that runs behind the garage all the way to the end of the stairs that has not been identified with calculations or elevations.
- It appears to that there are issues with the square footage with respect to the breezeway, which he believes is enclosed by definition.
- There is way too much paved surface.
- If they eliminated the carport and some of the decks they could eliminate a lot of the fill that will be required to be brought in, would reduce the runoff on the property in terms of paved areas, would reduce the bulk, and it would be a much better project.
- Agreed that the garage roof appears like it was an after-thought.
- Could not find for the project the way it is presently designed.

MOTION: By Chair Parsons, seconded by Vice Chair Frautschi, to continue the Single-Family Design Review for 9612 Hallmark Drive (Appl. No. 2007-0018) to date uncertain for redesign.

Ayes: Parsons, Frautschi, Wozniak, Mercer, McKenzie, Mayer, Horton
Noes: None

Motion passed 7/0

CDD de Melo stated that staff will meet with the applicant on this item, having heard the Commission's comments related to bulk issues, hardscape issues, design parameters related to the carports, the aggregate amount of paved surfaces, the multiple pedestrian connections throughout the property, deck and deck supports. They will categorize all the issues to work with the applicant and then talk about next steps.

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. Avanti Pizza Commercial Center – 2040 Ralston Ave.

He left messages at Avanti, expected a plan by this week but it has not yet been submitted.

7B. U-Haul – 530 El Camino Real

Code enforcement fines will start Friday if the additional Redwood is not planted. The applicants have been apprised that they are lacking in the landscape plan.

7C. Mid-Peninsula Water District Properties – Folger Drive and Ralston Avenue

He expects to bring the landscape plan for the replacement of the trees that were cut down on the Folger Drive site, including 8 Coast Live Oaks, to the July 3rd meeting.

7D. Motel 6

Not much new to report. Staff continues to work with the applicant on the master plan. They are running some economic analyses related to a master plan for the whole site, and should have some answers by the end of the month from their economic development consultant, as well as the General Plan consultant, relative to the Shoreway Place economic development target site. No new issues from the Police or Code Enforcement perspective.

7E. NDNU Field Soccer/Lacrosse Field

The next meeting of the NDNU Task Force is scheduled for July 26. There is a problem with the condition regarding youth sports camps that were scheduled to occur in May, June and July related to some of the activity that has transpired over the last few days. Staff has recently received a schedule of the remaining sports camps that are planned for the next three to six weeks, and is working with NDNU to quantify the scope and content of these camps to make sure that they are consistent with the conditions of approval for that field.

Sam Horowitz, Belmont resident, read the following statement into the record: "As evidenced by the fact this item is on your agenda tonight, you are aware that several of the neighbors have expressed concerns regarding noise and use of the field. After a media event sponsored by the University at which irrelevant issues were aired by persons who are not participants in the matter, I was invited to participate in a process facilitated by the City to engage the University and their neighbors to discuss and hopefully resolve the issue. I was content to contribute and allow the process to run its course until yesterday, when our respite from the field noise was broken by the sounds of lacrosse practice. Thanks to the intervention of Carlos de Melo, I now understand from Maureen Freschet that the practices yesterday and today were part of a scheduled USA West lacrosse camp. There are at least two more lacrosse camps scheduled this summer. The players appear to be high school or college age. Is this what you had in mind when you voted in favor of a use that would allow youth sports camps? It certainly wasn't what I had in mind when I heard the condition. The process with NDNU began very contentiously - I had hoped that we had quelled the emotion and started focusing on issues at the meeting. At the meeting we concluded that the Conditional Use Permit that exists today does not meet either the needs of the university or the neighbors. My impression from the behavior of NDNU, however, is that they feel that this is an issue with a handful of discontent neighbors and that they only have to convince you to ignore us. I don't see it that way. I would like the City to immediately strictly enforce the conditions of the CUP provided to NDNU for the field. This includes enjoining the University from any use of the field for any purpose not explicitly permitted by the

CUP and for all activities outside of the times permitted by the CUP. This is not an issue between NDNU and a few of its neighbors. This is an issue for the City and for this Commission, if it is to be a credible and effective body, to guide the development of our City. I look forward to Carlos's report to you and to continued participation in the task force the City is facilitating. I am hopeful that I and my neighbors will have all the support of this Commission and the City when we meet again in July. I am hopeful that we'll sit in discussion with a University that is respectful of their position at the table as well so that we can focus on parameters of use that are consistent with Belmont's General Plan and the needs of the University while respecting the rights of its neighbors and the authority of the City and this Commission. Thank you."

CDD de Melo stated that he will keep the Commission apprised of future developments related to this issue. Staff is in discussions with NDNU about the continued use of the field.

7F. 2996 Hallmark Drive

He had a meeting scheduled for the following week with the landscape architect and the property owner to go over the slight modifications to the landscape plan that the Commission recommended on May 15. If they can conclude the revisions and then take the plan forward, he hoped to see construction of the elements associated with the plan in the middle of July.

7G. 1220 Avon Street

The Commission approved this project last year, which included a 2nd story addition as well as the preservation of existing trees within the front and side setback areas. Within the last 7 days, not in accordance with the approved landscape plan, a number of the trees were removed from the site, in fact, probably all of them. Within the last 24 hours the entire front yard landscaping was also removed, so the site is essentially bare. Staff is working with the applicant's architect to try and get a revised landscape plan that they will bring back to the Commission for review. Tree fines are in order for the trees that were both regulated and of a protected size and the Commission will get an additional crack at a revised landscape plan. They have set some "drop dead" dates for the submittal of this landscape plan; if they do not perform, code enforcement action will get started and fines may be part of that action as well.

Commissioner McKenzie commented that it is his understanding that the huge container that has been sitting in the street since the very beginning of this project, which he thought was for site work, contains furniture. He asked if a permit was granted for that purpose, adding that there are other places to put furniture than in public streets. CDD de Melo will look into that issue.

Commissioner Horton reported that during the meeting Chair Parsons had been sitting in a sample chair she had brought to the meeting—one that will allow the arms to go under the counter and thus get the Commissioners and Council closer to the microphones. She would like feedback from Commissioners and the Council members.

Chair Parsons asked for an update on discussions with Public Works on the 101 Interchange. CDD de Melo reported that a meeting was scheduled with the Public Works Director for the following day, which will also include discussion of the sidewalk plan and street lights. Chair Parsons and Commissioner McKenzie stated that they can provide sources for the wooden type of street lights being discussed.

Vice Chair Frautschi thanked staff for the excellent reports they provided on very difficult projects, and thanked CDD de Melo for responding directly about 1220 Avon.

Vice Chair Frautschi and Commissioner McKenzie will both announced that they will be absent for the July 17th meeting.

8. CITY COUNCIL MEETING OF TUESDAY, JUNE 26, 2007

Liaison: Vice Chair Frautschi
Alternate Liaison: Commissioner Mayer

10. ADJOURNMENT:

The meeting was adjourned at 10:39 p.m. to a regular meeting on Tuesday, July 3, 2007, at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7417 to schedule an appointment.